

## **CONTINUANCES, SETTLEMENTS AND WITHDRAWALS**

This section applies to all matters on the Court's docket, with the exception of adversary proceedings.<sup>1</sup> For matters set for trial by scheduling order, such proceedings or matters typically involve more advance preparation by the Court and therefore may require notification of a settlement, withdrawal (to the extent proper), or continuance several days in advance of trial. Consent orders may also be required.

- **Settlements.** In order to relieve the Court from unnecessary preparation, parties are requested to promptly report to chambers settlement of a matter scheduled for hearing. Settlements may be reported orally, immediately followed by a letter to chambers. Advising chambers sufficiently in advance, typically prior to 12:00 noon on the day before the hearing, may be sufficient to be excused from the hearing, depending on the nature of the proceeding.
- **Withdrawals.** Withdrawals of an objection or pleading upon which the hearing was set should be filed before 12:00 noon on the day prior to the hearing. The withdrawal must indicate that any responding party has consented to such withdrawal. Withdrawals any later than 12:00 noon may affect the Court's calendaring and parties' schedules and therefore will require attendance at the hearing unless otherwise excused.
- **Continuances.**<sup>2</sup> Continuances may be granted by submission of a proposed consent order of continuance or by requesting such continuance by facsimile at 803-253-3464 (Judge Waites), 864-591-5317 (Judge Burris), 803-253-3996 (Judge Duncan), sufficiently in advance of the hearing, typically by 12:00 noon the day prior to the hearing, in order to avoid unnecessary preparation by the Court. Extraordinary circumstances such as illness or family emergency will also be considered.

The following information is helpful in order to obtain a continuance: the nature of the dispute, the reason for the continuance, whether consents to the continuance have already been obtained and from whom, the time needed before the next hearing and specifics regarding the dispute.

- **Calendar Removal Request.** If the parties are seeking to have a matter removed from the calendar, a calendar removal request should be filed on CM/ECF.

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<sup>1</sup> SC LBR 4001-1 should be referred to for proceedings to modify the automatic stay.

<sup>2</sup> Continuances of matters on the Court's Chapter 13 docket may require submission of a joint statement of dispute at a time and date set by the Court.